

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

*Berner et al**

SERIAL NO.: 10/769,574

FILED: January 29, 2004

FOR: **GASTRIC RETENTIVE ORAL DOSAGE
WITH RESTRICTED DRUG RELEASE IN
THE LOWER GASTROINTESTINAL
TRACT**

EXAMINER: Holt, Andriae M.

ART UNIT: 1616

CONFIRMATION No.: 8962

Interview Summary Statement

Mail Stop **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants thank Examiners Holt and Pak for granting Applicants a telephonic interview on September 10, 2008. Compliant with M.P.E.P. § 713.04, Applicants provide this summary of the substance of the interview. The cited prior art documents of Shell (U.S. Patent No. 5,972,389) and Wong (U.S. Patent No. 6,120,803) forming the basis of the prior art rejections set forth in the April 15, 2008 Office Action were discussed. This summary is timely filed as the Examiner's Interview Summary was mailed on September 12, 2008, October 12, 2008 was a Sunday and October 13, 2008 was a holiday.

Respectfully submitted,
King & Spalding LLP

Date: October 14, 2008

/Susan L. Harlocker/
Susan L. Harlocker
Registration No. 59,144

Correspondence Address:
Customer No.: 79975